Sectt. II-48—33,702—27-11-28.

Revenue (1925) Department.

May SERIES.

G.O. No. 1178 * 75

DATED 28 7 252

[Despatch Abstract.]

Land - (South Kanara) - South Indian Railway - Bangalore taluk - Someshevar village - Transfer - adjustment - valuation.

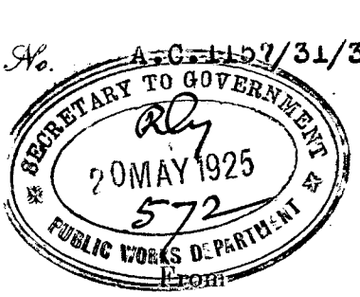
A.B.C. TELEGRAPHIC CODE 5TH EDITION.
TELEGRAPHIC ADDRESS: "SILVIA" TRICHINOPOLY.

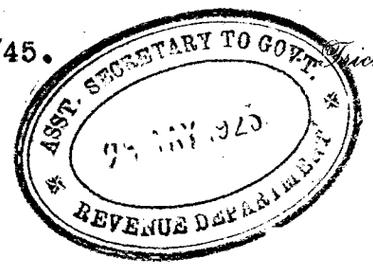
South Indian Railway Company, Ltd.

(Incorporated in England)

AGENT'S OFFIC

No. A.C.152/31/3/45. Trichinopoly, 18th May





From

THE AGENT,

SOUTH INDIAN RAILWAY.

To

The Secretary to the Government of Madras,
Public Works Department (Railways),
M A D R A S.

Sir,

may be transferred Revenue Dept as all land questions with in that

Land - Acquisition of.

In May 1923 application was made to the Collector of South Canara, Mangalore, for the acquisition of an extent 4 Acres, and 63 Cents of Government land at an approximate cost of Rs.1,021/- for quarrying purposes near Ullal Railway Station. In due course, the Collector transferred the land to this Administration, and advised me that the Capital account of the Railway would be debited with Rs.1,852/- the market value at the rate of Rs.400/- per Acre. On this he was pointed out that the original value of Rs.1,201/- estimated by the Railway was based on the Valuation Statements furnished by the Revenue Department, and that therefore the case should be reconsidered, but the Collector refused to do this on the ground that similar land had been sold to one Sheedi Beary Saheb at Rs.400/- per acre.

I beg to represent that under Standing Order No.90 of the Proceedings of the Board of Revenue, the Collector should have advised this Administration of the enhanced value of the land applied for, and enquired whether acquisition should be completed. Instead of doing this, he merely

the enhanced rate) to be debited to the Capital account.

I solicit the Government will reconsider the case, and pass orders that this Administration be debited with the cost of land as per original Valuation Statements furnished.

I have the honour to be,

Sir,

Your most obedient servant,

G.A. Mumbead

for Agent.

Y

Land Acquisition – South Kanara – Silica – Industrial purposes – Enhancement of Cost at the time of Transfer

Letter from the Agent Silica Co Ltd Trichinopoly A.C. 1157/37/3145 dated 10th May 1928

Copy Pad

Encls 1916 & 28 – 1 Dft
31.5.28

Referred to the Board of Rev for early report

PR 29/5

DESPATCHED
1 JUN 1925

To Board of Revenue 28/5/28
with a copy of the Agents letter ✓

Copy to Agent S. India Co Ltd Trichy ✓

4
27/5/28

REVENUE DEPARTMENT.

CURRENT No. 4 Rev 2334E

8.7 1925.

Received ASST. SECRETARY TO GOVT. 8 JUL 1925 REVENUE DEPARTMENT 192 . *Registered*

Subject.

LAND - (South Kanara) - South Indian Railway - Mangalore taluk - Someshwar village - Transfer - Enhancement of cost at the time of transfer.

ENCLOSURES.
No.
Spare copies

ENDORSEMENT No. C.4341/25.

Station Madras. *Dated the* 4th July 1925

From W. Scott Brown Esq., I.C.S., Secretary.

To The Board of Revenue ~~Revenue Settlement, etc.~~ Land Revenue ~~Separate Revenue.~~

~~Resolution~~ ~~Reference.~~ P. L. Moore Esq., C.I.E., I.C.S., Commissioner of Land Revenue.

Read the following:-

Letter from G.W. Wells Esq., M.A., I.C.S., Collector of South Kanara, No. L.Dis. 4222-25-B3, dated 19th June 1925:-

Reference:-Board's Refce. No.C.3764-25-; , dated 4.6.25.

In March 1924, S. Nos. 206/1A1, 1B and 5C and 74/12A of Someshwar village, Mangalore taluk, measuring 4 acres and 63 cents were transferred to the South Indian Railway administration for quarrying purposes in accordance with a requisition from the Agent, South Indian Railway. The market value of the land was estimated at Rs.400 per acre which was the

price paid for the adjoining land which was acquired in January 1924 for the Ullal Railway Station yard and a sum of Rs.1,852, being the price of the land in question, was debited to the capital account of the Railway. The original value of Rs.1201 mentioned by the Agent in his letter appended to the Board's Reference, was arrived at by estimating the value at Rs.150 per acre in respect of S. No. 74/12A and at Rs.175 in respect of the remaining plots. This was only a preliminary approximate valuation made by the Shanbhogue and furnished direct to the District Engineer, Cannanore, by the Tahsildar of Mangalore as per his requisition, and does not appear to have been verified by any officer. The preliminary correspondence about the original valuation was held between the District Engineer, Cannanore, and the Tahsildar of Mangalore and did not pass through me. It was, therefore, not possible to know what had transpired in the matter before steps were taken to hand over the land to the Railway Department. The Agent, relying on the original approximate valuation, now contends that it should be adhered to. I do not see sufficient justification in his argument. The Revenue Department is entitled to be credited with the market value of the lands fixed with reference to the valu. of the adjoining lands acquired for the Railway shortly before this transaction took place.

ENDORSEMENT.

Reference:- Government Endorsement No.1916-E-25-1, dated 31st May 1925.

Submitted to Government.

2. The plots in question are Government lands transferred to the Railway Company on its application. The Board agrees with the Collector in considering that the capital account of the Railway Company was rightly debited with the market value of the land at the time of transfer. Vide item (b) of appendix XI to paragraph 3 of B.S.O. 91 as revised by G.O. 1959,

Revenue, dated 14th August 1920. The rule in B.S.O. No. 90 quoted by the Railway Agent in paragraph 2 of his letter is not strictly applicable to the present case.

W Scott Brown 7/7
SECRETARY.

To the Second Secretary to Government.

V.C/7.7.25.

7.7.25

C. 2334 E 25

Land - (S. Kanara) - S. I. Rly

Mangalore Taluk - Someshwar

Village - Uliyanpet - adjustment

Letter from the Agent. SI Rly Co

A.C. 1157/31/3/45

18th May 1925

Bandy/Rev. Dept. C4324/25

4.5.25

this rate exceeded the rate at which the lands had been valued previously by the Rev dept. for the preparation of the Railway Estimate The original valuation appears to have been made prior to May 1923 that before the Ry Co applied for the land while the present valuation was based on the value paid for similar land just before the passage The rules in B.S.O.

Received.

P.W. Comm. Secy/No-1

22.7.1925

Rev. -

ASST. SECRETARY TO GOVT. 23 JUL 1925 REVENUE DEPARTMENT

Rev Dept.

To Mr. Secy.

Rev 25-11-12

The Darjeeling may issue

23.7.25

Secy.

SM 25/7/25

RD 28/7

Scott. 11-10(a)—36.502 27-11-23. (6)

DEPARTMENT

	Date.	Initials.
When received for Fair-copying.		
When copied ..		
When examined ..		
When signed ..		
When despatched ..		

READ AGAIN G.O. No ....., dated 192

" " " " ..... " 192

READ ALSO:—

C. No. 1916 E/25 From the Agent. S.I.Rly Co Ltd Trichy, No. 1157/31-3-45 Ac, dated 18-5- 1925.

" " ..... " " Board/Rly Rks " Estt C4341/25 " 4.7. 1925.

" ..... " " ..... " ..... " 192

ORDER.

MLS

No. 1178, dated 29.7.1925.

The following letter will be addressed to the Agent. S.I.Rly Co

Rly Bd's letter.

To Board/Rly Rks's letter

RECEIVED
TWO: 30 JUL 1925
Rly

In reply to your letter No. A.C. 1157/31-3-45 dated 18th May 1925, I am directed to ~~inform~~ refer you to item (h) of appendix XI to paragraph 3 of B80 91 as revised by G.O. No 1959 Rev. dy 14th August 1920 according to which, full market value at the time of transfer plus the capitalised value of the abatement of existing land revenue should be debited to the Capital account of the Railway where land at the disposal of the Govt is transferred to a Railway administration

p 5-1 of (I)

As the present ~~case is~~ related ~~a case~~ of transfer of land belonging to the Local Govt. to the Railway note 1 under B80 90-16, which relates to ~~the passing of~~ awards in ~~Cases~~ of acquisition does